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DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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July 11, 1991

Mr. Bob Steele
Operator/Owner
1055 North 400 East
Nephi, Utah 84648

Dear Mr. Steele:

Re: Permit Status, Gardner Canyon Gypsum Mine, M/023/015, Juab County, Utah

This letter is provided to clarify the Division's position on your Gardner Canyon mining proposal. The "Plan of Operations" presently on file with this office for the proposed Gardner Canyon Gypsum Mine has been categorized as a Large Mining Operation. You have requested that we now consider processing your original notice as a Small Mining Operation. During our May 9, 1991 onsite inspection, the Division conducted some measurements of the current mining-related disturbances. Our rough calculation of the disturbed area suggests that the affected area is very close to, if not exceeding, the five (5) acre threshold criteria for qualifying as a Small Mining Operation. Therefore, your request to permit the Gardner Canyon mine under a small mining notice is denied pending submission and review of the following information:

1. Pursuant to Rule R613-003-105, the operator's notice of intention must contain a map identifying the disturbed areas **in sufficient detail** and scale so that they can be readily located on the ground. The operator should also plot and label any previously disturbed areas in the immediate vicinity of the proposed small mining operation for which the operator is not responsible. All of the existing **and proposed** surface disturbance associated with your gypsum mining proposal must be clearly identified on the map(s).

The maps as provided with your USFS "Plan of Operations" application do not clearly identify or differentiate between the existing mining-related disturbances and the proposed surface disturbances. The maps lack sufficient detail to confirm the qualification for a Small Mining Operation (i.e., 5 or less acres). The map scale is not adequate to readily determine the actual acreage involved with

the proposed project. We request that a revised disturbed area map be prepared for the actual mine site area at a scale of 1 inch = 200 feet (or larger).

All existing and proposed mining-related disturbances that will be utilized as part of the mining operation must be clearly outlined and labelled on the map.

A supplemental map, at scale of 1 inch = 1000 feet, is requested which accurately shows the existing and proposed access routes/roads that have been, or will be, used/constructed as part of the mining operation.

If the operator has conducted any (post-May 1975) exploration activities within the vicinity of the mine site area, these disturbances must also be outlined and labelled on a topographic map (7.5 minute USGS map preferred). The operator will be held responsible for the reclamation of those exploration disturbances that have not been reclaimed (eg., drill holes, drill pads, access roads, trenches, pits and similar excavations).

2. If the portion of the mine access road crossing private land is to be excluded from the plan, the operator must provide the Division with letters from the owner(s) attesting to the fact that the road will have a legitimate post mine land use and what that usage will be.
3. At a minimum, that portion of the road which crosses USFS property must be considered part of the disturbed area. The road must be included as part of the mine plan and be reclaimed by the operator after mine closure.
4. It is our understanding that the operator's surface right to enter/access his mining claims, located within the Mount Nebo Wilderness, is being disputed by the U.S. Forest Service (USFS). The Division will suspend making a permitting decision on this mine site until a formal decision is made by the USFS resolving this matter.

During our May 9, 1991 site inspection, we received a copy of a "Plan of Operations" for your adjacent Gardner Canyon limestone mine property. This plan proposes development of an open pit limestone quarry. The composite surface disturbance as presently proposed for both mine sites clearly exceeds the five (5) acre threshold for a Small Mining Operation. Because of its close proximity to the proposed gypsum quarry mine site, and the Division's "Policy for Related or Neighboring Sites" (copy attached), we will eventually need to process both

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applications jointly and issue one large mine permit covering both mine areas. A reclamation surety will also be required by the Division for a large mining operation.

We understand that the limestone claims are currently undergoing a validity examination by the USFS. The Division will suspend completing its assessment of the limestone proposal until the results of the validity examination are available.

Please contact me, Wayne Hedberg, or Holland Shepherd if you have questions concerning the requirements of this letter. Thank you for your patience and cooperation in addressing these permitting concerns.

Sincerely,



Lowell P. Braxton
Associate Director, Mining

jb
Enclosure
cc: Jane Leeson, Wilderness Society of Utah
Mark Sensibaugh, USFS
Dianne R. Nielson, DOGM
Minerals staff
M023015.2